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January 22, 2003

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1995-0141-0006

**PRIVILEGED AND CONFIDENTIAL
VIA EMAIL llmckinney1@bpa.gov**

Annie Eissler – FOIA Officer
Bonneville Power Administration

Re: FOIA REQUEST

Dear Annie and Laura:

Please consider this transmittal as a Freedom of Information Act Request. If anyone has any questions regarding this Request, please call me. Public Utility District No. 2 of Grant County (PUD) represents that it will pay the statutorily provided charges for responding to this Request up to \$500. If responding to this Request costs more than that, please call so that I may obtain authorization for payment of the amount.

Background

Bonneville Power Administration (BPA) owns transmission towers and lines which cross the Columbia River in close proximity to BPA's Midway Substation. A grouping of seven lines exists, four of which BPA originally had designed and constructed and three of which Harza Engineering designed and an outside contractor built for the PUD. BPA installed lightning on one line in this grouping of seven, the Midway to Potholes line. It placed no marker balls on any of its lines.

An airplane flew into lines at this point on November 6, 1998. The pilot of the airplane and the Estates of two Fish and Wildlife observers who were on the flight have sued the PUD. They allege that the absence of markers on lines may not comply with federal or state regulation.

The PUD has records relating to its own lines. These records demonstrate that Harza Engineering designed PUD lines in 1957. Harza Engineering records state that in 1957, contact was made with the Civil Aeronautics Administration (CAA) to ascertain CAA requirements. Those records state:

It should be noted that towers for one existing crossing's span are lighted and painted.

The records further reflect that meetings took place on April 17 and 18, 1957 with BPA. The April 18 meeting involved Richard F. Stevens, chief of design, BPA and F.W. Farr, transmission unit chief, BPA.

An April 25, 1957 letter from the PUD to the CAA district airport engineer states:

In a telephone conversation with Mr. Harper of your office on April 23, 1957, I agreed to submit the enclosed sketch. This is a plan view of the existing and proposed crossings of the Columbia River adjacent to the Bonneville Power Administration Midway Substation. The proposed crossings are to be 230 kV and have identical structures and sag as the existing crossings. As I pointed out to Mr. Harper, the present Grand Coulee No. 1 crossing is the only one provided with warning lights, and the towers are painted.

We are awaiting your answer as to whether it is necessary to provide lighting on the proposed Priest Rapids crossing.

A copy of the April 25, 1957 letter is attached.

Harza records recite that BPA lines existed at the time design was taking place. The PUD does not have BPA's records relating to the design and construction of BPA's lines.

FOIA Request

The PUD hereby makes this Freedom of Information Act Request for the following:

1. Documents relating to design and construction of the BPA lines which cross the Columbia River in close proximity to the BPA Midway Substation;
2. Documents relating to communications with the Civil Aeronautics Administration, the Atomic Energy Commission or any other entity regarding lighting/markings these lines;

3. Any documents regarding lighting/markings BPA's lines which cross the Columbia River within this grouping of seven; and
4. Any other FOIA Requests for information submitted by Clifton Dyer or Kennewick Aircraft Services or their attorney, Miller & Associates; the Estates of Kathleen Cheap and James Michael Callow or their attorney, Myers & Knapp or Osborn Smith.

I will appreciate your having the appropriate person call once they have determined what documents exist responsive to this Request. I can then identify specifically that which is needed. If helpful, we can travel to where the records are located to look at those records and select the ones needed.

Your prompt response will be appreciated.

Sincerely,

A handwritten signature in dark ink, consisting of two large, stylized loops that resemble the letters 'DS'.

DAVID E. SONN

DES:Imt
Enclosure

cc: Ray Foianini (w/encl.)
Leon Hoepner (w/encl.)
Don Godard (w/encl.)

PUBLIC UTILITY DISTRICT NO. 2, GRANT COUNTY

F. WM. ARLT, PRESIDENT
WILLIAM SCHEMPP, SECRETARY
GEO. SCHUSTER, COMMISSIONER
G. A. SMOTHERS, MANAGER
E. L. DOUGLASS, AUDITOR

EPHRATA, WASHINGTON

P. O. BOX 878
PHONE SK 4-3541

April 25, 1957

COPY

Mr. C. W. Drew
District Airport Engineer
Box 13, Boeing Field
Seattle, Washington

Dear Mr. Drew:

In a telephone conversation with Mr. Harper of your office on April 23, 1957, I agreed to submit the enclosed sketch. This is a plan view of the existing and proposed crossings of the Columbia River adjacent to the Bonneville Power Administration Midway Substation. The proposed crossings are to be 230 KV and have identical structures and sag as the existing crossings. As I pointed out to Mr. Harper, the present O and Coulee No. 1 crossing is the only one provided with warning lights, and the towers are painted.

We are awaiting your answer as to whether it is necessary to provide lighting on the proposed Priest Rapids crossings.

Yours very truly,

Frank Ross
Engineering Department

FR:f
enc.

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